

MILES MATSUMURA

Plaintiff(s)

- against -

Index # 08 CIV 5701 (COTE)

SMART LLC D/B/A SMART TUITION, ETANO

Defendant(s)

Purchased June 25, 2008

File # 1014/002

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

ANDERSON CHAN BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on July 16, 2008 at 12:00 PM at

50 BROADWAY, 21ST FL.  
NEW YORK, NY 10004

deponent served the within SUMMONS & VERIFIED COMPLAINT WITH CIVIL COVER SHEET, INDIVIDUAL PRACTICES IN CIVIL CASES DENISE COTE, UNITED STATES DISTRICT \* on SMART LLC therein named.

BY LEAVING A TRUE COPY WITH JEFF WHITE, MANAGER, BEING AUTHORIZED TO ACCEPT LEGAL PAPERS STATED.

Deponent further states that he describes the person actually served as follows:

<u>Sex</u>	<u>Skin Color</u>	<u>Hair Color</u>	<u>Age (Approx.)</u>	<u>Height (Approx.)</u>	<u>Weight (Approx.)</u>
<u>MALE</u>	<u>WHITE</u>	<u>BROWN</u>	<u>35</u>	<u>5'9</u>	<u>170</u>

\* JUDGE, DEULT JUDGMENT PROCEDURE, CONSENT TO PROCEED BEFORE UNITED STATES MAGISTRATE JUDGE, , INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE RONALD L. ELLIS,, ELECTRONIC CASE FILING RULES & INSTRUCTIONS

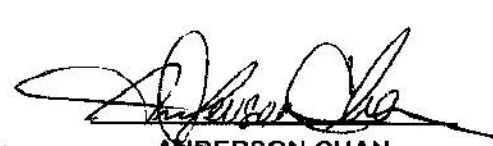
That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: July 16, 2008

JOEL GRABER  
Notary Public, State of New York  
No. 02GR4699723  
Qualified in New York County  
Expires February 10, 2010

JOSEPH KNIGHT  
Notary Public, State of New York  
No. 01KN6178241  
Qualified in New York County  
Expires November 26, 2011

JONATHAN GRABER  
Notary Public, State of New York  
No. 01GR6156780  
Qualified in New York County  
Expires December 4, 2010

  
**ANDERSON CHAN**  
License #: 1220482  
Invoice #: 464946